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8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION
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12 Curtis Lee ERVIN,
13 Petitioner,

14 v.

15 Vince CULLEN, Acting Warden of San
16 Quentin State Prison,
17 Respondent.

Case Number 4-0-cv-1228-CW
DEATH-PENALTY CASE
SCHEDULING ORDER

18 The parties have filed a Joint Statement of Proposed
19 Schedule for Completion of Discovery. Good cause appearing
20 therefor, the Court adopts the following schedule.

21 (1) The parties shall complete discovery by December 22,
22 2010.

23 (2) Respondent shall move for summary judgment on or before
24 March 15, 2011.

25 (3) Petitioner shall oppose Respondent's motion on or
26 before June 13, 2011. In the same brief, Petitioner
27 may also cross-move for summary judgment, and/or move
28 for an evidentiary hearing.

- 1 (4) In a single brief, Respondent shall reply to
2 Petitioner's opposition and oppose Petitioner's
3 motions, if any, on or before July 13, 2011.
- 4 (5) Petitioner shall reply to Respondent's opposition to
5 any cross-motions on or before August 12, 2011.
- 6 (6) Unless otherwise ordered, the Court will take the
7 motions under submission upon receipt of Petitioner's
8 reply or expiration of the time for Petitioner to
9 reply.

10 It is so ordered.

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13 DATED: 8/6/2010


CLAUDIA WILKEN
United States District Judge

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